

**CIVIL CASES or DIVORCE,
PATERNITY, FIRST ORDERS
FOR CUSTODY and/or
VISITATION CASES**

**TRIAL
PREP**

**HOW TO SET YOUR CASE FOR TRIAL
(FORMS PACKET)**

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April 10, 2001
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GNT5fc - 5350



SELF SERVICE CENTER

TRIAL PREPARATION

HOW TO SET YOUR CASE FOR TRIAL (Forms Only)

How to assemble these documents

This packet contains court forms about how to set your case for trial, if is it a civil case, divorce, paternity, establishment for custody, or establishment of visitation. Be sure the documents are in the following order.

Order	File Number	Title	No. Pp.
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2	GNT5k	Checklist to file	1
3	GNT52f	<i>“Motion to Set and Certificate of Readiness”</i>	3

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HOW TO SET YOUR CASE FOR TRIAL

CHECKLIST

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- ✓ A petition/complaint **and** a response/answer were filed with the court in this case; and,
- ✓ You and the other party **do not** agree and **will not** sign agreement papers; and,
- ✓ You know about mediation, and **do not** want to have a mediator help you resolve this matter. (If you have questions about mediation, the Self-Service Center Staff have a handout about mediation.)
- ✓ You have talked to a lawyer and the lawyer has told you that you are ready to set your case for trial, and you have done everything you need to do to get your case ready for trial.
- ✓ You want to see a judge and have a trial in this case.

READ ME: It is very important for you to know that when you sign any court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with any court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

Name of Person Filing Document: _____
Your Address: _____
Your City, State, Zip Code: _____
Your Telephone Number: _____
ATLAS Number (if applicable): _____
Attorney Bar Number (if applicable): _____
Representing ☐ Self (Without a Lawyer) OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Name of Petitioner/Plaintiff

Case Number: _____

**MOTION TO SET AND
CERTIFICATE OF READINESS**

Name of Respondent/Defendant

Assigned to: _____
Judge's Name

INFORMATION ABOUT ME: I am the ☐ Petitioner/Plaintiff or ☐ Respondent/ Defendant in this case.

INFORMATION ABOUT MY CASE: You must check one box after each number. The statements must be true before you can check the box and file this document with the court.

1. ☐ **SET MY CASE FOR TRIAL.** By filing this motion, I am asking the court to set this case for trial. My case will be ready for trial on or after _____(date). I have identified all issues known to me at this time, that are related to this matter.
2. ☐ **WE DO NOT AGREE.** A Petition or Complaint **AND** an Answer or Response in this case have been filed. The other party and I **do not** agree and we **have not** been able to settle this case.
3. ☐ **CIVIL CASE:** My case has a "CV" case number. The parties have completed, or will have had a reasonable opportunity to complete, Discovery within 60 days of the date I file this **"Motion to Set and Certificate of Readiness"** with the Clerk of the Court. (Discovery is the way to obtain facts and information from the other party. By checking this box and signing this document, I am telling the court that I have obtained all of the facts and information I need from the other party and that I have answered all discovery requests from the other party, OR that this will happen within 60 days from the date I sign this document.) Note: Both parties are required to give the other party a disclosure statement. See Rule 26.1. Arizona Rules of Civil Procedure.

OR

- ☐ **DOMESTIC RELATIONS/FAMILY COURT CASE:** My case has a "DR" OR "FC" OR "FN" case number. The parties have completed, or have had a reasonable opportunity to complete, Discovery. (Discovery is the way to obtain facts and information from the other party. By checking this box and signing this document, I am telling the court that I have obtained all of the facts and information I need from the other party, and that I have answered all discovery requests from the other party.)

4. ☐ **INFORMATION ABOUT YOU OR YOUR LAWYER:**

Name: _____
Address: _____
City, State, Zip Code: _____
Telephone Number: _____

5. ☐ **INFORMATION ABOUT THE OTHER PARTY OR HIS/HER LAWYER**

Name: _____
Address: _____
City, State, Zip Code: _____
Telephone Number: _____

6. ☐ **PREFERENCE FOR TRIAL.** This case ☐ **is** entitled or ☐ **is not** entitled to be heard before other cases. Your case is entitled to be heard before other cases because it is a:
- ☐ Case granted a preference by statute or other rule of court.
The citation of the statute or rule is _____, OR
- ☐ Juvenile Case ("JV" case number), OR
☐ Criminal Case ("CR" case number), OR
☐ Domestic Relations/Family Court Case ("DR/FC/FN" case number), OR
☐ Probate Case, ("PB" case number), OR
☐ Short Cause Civil Case, (short case that can be heard in an hour or less) OR
☐ Hardship Civil Case, OR
☐ Mental Health Case ("MH" case number).

7. ☐ **SHORT CASE.** This case may be heard in an hour or less. ☐ YES or ☐ NO ☐ NOT SURE

8. ☐ **ESTIMATED LENGTH OF TRIAL.** How long will the trial in this case last?
Estimated length of time: _____ hours or _____ days.

9. ☐ **CIVIL CASES ONLY. JURY TRIAL.** My case is a civil case, has a CV number, and I want a jury trial. ☐ YES or ☐ NO

10. ☐ **CIVIL CASES ONLY. ARBITRATION.** The amount of money we have a dispute over is approximately \$ _____. (If the amount of money you are disputing over is less than \$50,000, your case is subject to Arbitration. If the amount of money you are disputing over is more than \$50,000, your case is not subject to Arbitration.) With this in mind, is your case subject to Arbitration?
☐ YES or ☐ NO.

I state under penalty of perjury that the information and statements provided above are true and correct.

Today's Date

Signature of Person Filing Document

I promise under oath that I did the following things:

1. I gave the Clerk of the Court the ORIGINAL of my *"Motion to Set and Certificate of Readiness"*, to file, on this date: _____ (month, day, year)
2. **FOR DR/FC/FN CASES ONLY.** ☐ I gave DR/ FC Court Administration a COPY of my *"Motion to Set and Certificate of Readiness"* to deliver to the judge assigned to my case, on this date _____ (month, day, year)

DR/FC/FN OR CIVIL CASES. ☐ I put a COPY of my *"Motion to Set and Certificate of Readiness"* in the judge's box in the Central Court Building, 4th Floor, Court Administration at 201 West Jefferson, on this date: _____ (month, day, year)

DR/FC/FN OR CIVIL CASES. ☐ I mailed a copy of my *"Motion to Set and Certificate of Readiness"* to the judge assigned to my case, on this date:

(month, day, year)

3. I mailed a COPY of my *"Motion to Set and Certificate of Readiness"* to the other party, or to his/her attorney at the following address on this date _____ (month, day, year)

Name of other Party
or his/her Attorney: _____
Address: _____
City, State, Zip Code: _____

(You must sign here to confirm to the court that you did these things.)